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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/619,636	07/14/2003	David L. Chavez	4366-136	4829
48500	7590	09/11/2007		
SHERIDAN ROSS P.C. 1560 BROADWAY, SUITE 1200 DENVER, CO 80202			EXAMINER NGUYEN, QUYNH H	
			ART UNIT 2614	PAPER NUMBER
			MAIL DATE 09/11/2007	DELIVERY MODE PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

<b>Office Action Summary</b>	<b>Application No.</b> 10/619,636	<b>Applicant(s)</b> CHAVEZ ET AL.	
	<b>Examiner</b> Quynh H. Nguyen	<b>Art Unit</b> 2614	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 14 July 2003.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 22-37 and 47-79 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 22-37 and 47-48, 50-61, 63-73, and 75-79 is/are rejected.
- 7) ☒ Claim(s) 49, 62 and 74 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 14 July 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |   |   |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)   | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                  | 5) <input type="checkbox"/> Notice of Informal Patent Application                       |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

## **DETAILED ACTION**

### ***Claim Rejections - 35 USC § 101***

1. 35 U.S.C. 101 reads as follows:

Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

2. Claims 78-79 are rejected under 35 U.S.C. 101 because the claimed invention is directed to non-statutory subject matter. Claims 78-79 recite "A computer readable medium" does not comply with the subject matter eligibility requirement of 35 U.S.C. 101 because Applicant's Specification does not define what a computer readable medium is.

### ***Claim Rejections - 35 USC § 102***

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

4. Claims 65-66, 72-73, 77, and 79 are rejected under 35 U.S.C. 102(e) as being anticipated by Florkey et al. (US Patent 6,990,353).

As to claims 65 and 79, Florkey et al. teaches a method comprising:

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a switch (Fig. 1) detecting a change of status of the telephone (col. 1, lines 38-41; col. 3, lines 13-17);

determining whether or not an external endpoint has requested notification of the status change (col. 4, lines 49-51); and

when an external endpoint has requested notification of the status change, generating and sending to the external endpoint a text notification of the status change (col. 3, lines 36-55).

Claims 66, 72-73, 77 are rejected for the same reasons discussed with respect to claims 51, 47-48, 34, respectively.

### ***Claim Rejections - 35 USC § 103***

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6. Claims 22-33, 35-37, 52-58, and 78 are rejected under 35 U.S.C. 103(a) as being unpatentable over Hutchinson, IV (U.S. Patent 7,197,124).

As to claims 22, 52, and 78, Hutchinson teaches the steps of:

providing at least one of a switch and server, at least one internal endpoint (col. 4, lines 27-28 - *at the telephone station*), and at least one external end point (col. 4, line 29 - *remote user station*), each of the at least one internal and external endpoints being in communication with the at least one of a switch and server and associated with a

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common user (col. 4, lines 18-43 - *it is inherent that there exist at least a switch and server at telephone station not shown*), wherein at least one internal endpoint comprises a plurality of feature activators for activating a plurality of features (col. 3, line 52 through col. 4, line 17);

receiving from at least one external endpoint an incoming contact comprising an identity of least one of a feature activator and a feature (col. 3, lines 26-63; col. 4, lines 18-43);

determining when the identified of at least one of a feature activator and feature has a corresponding entry in a stored list of identifiers (col. 3, lines 1-16 and 26-63), the entries in the stored list of identifiers being associated with at least one of (i) a plurality of feature activator identifiers associated with the plurality of feature activators and (ii) a plurality of feature identifiers associated with the plurality of features (col. 3, line 26 through col. 4, line 17); and

when the identified at least one of a feature activator and feature has a corresponding entry in the stored list, activating at least one of the associated feature activator and feature (col. 3, lines 45-67; col. 4, lines 58-62).

Hutchinson does not teach a packet switched communication.

It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Hutchinson's communication system to include a packet switched in order to have a more efficient system, since Hutchinson teaches many modifications and variations of the invention may be implemented (col. 5, lines 27-31).

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As to claims 23 and 31, Hutchinson teaches the contact is received at the external port of at least one of a switch and server from an originator terminal utilizable external and not having an extension associated with any internal endpoint serviced (col. 4, lines 18-43 - *it is inherent that there exist at least a switch and server at telephone station not shown, and there is no extension discussed*).

As to claim 24, Hutchinson teaches mapping the identified at least one of a feature activator and feature associated with the incoming contact to the corresponding entry in the stored list (col. 3, lines 6-25).

As to claims 25-26 and 54-55, Hutchinson teaches the corresponding entry is at least one of the pluralities of feature (activator) identifiers (col. 3, lines 6-16).

Claim 27 is rejected for the same reasons as discussed above with respect to the second limitation of claim 22.

As to claims 28 and 56, Hutchinson teaches feature activator identifiers and plurality of feature identifiers as if the user activates the feature in the internal endpoint while the internal endpoint was in service and off hook (col. 1, lines 34-38; col. 2, lines 5-9).

As to claims 29 and 57, Hutchinson teaches the plurality of features are selected from one or more of the following sets of features: © features that are non-contact associated that do not require display interaction (col. 3, lines 57-58).

As to claims 30 and 58, Hutchinson teaches the plurality of features comprise a plurality of the following features: automatic call back (col. 3, lines 50-57) and call forwarding (col. 3, lines 35-42).

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As to claim 32, Hutchinson teaches in the stored list, the plurality of feature activator identifiers is base upon activator position on the internal endpoint (Fig. 1, 18 and 38).

Claim 53 is rejected for the same reasons as discussed above with respect to claims 23-24.

As to claim 33, Hutchinson does not teach internal endpoint comprises a plurality of internal endpoints, each of the plurality of internal endpoints having a plurality of feature activators. It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Hutchinson's telephone station to comprise a plurality of telephone stations that have the same features and functions as telephone station 10 for the purpose of expanding the telephone station into a network communication.

As to claims 35-37, Hutchinson does not teach the packet switched communication comprises a source address, a destination address, and a body, wherein the identity of the feature activator and feature is located in the body and header. It would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate the above mentioned features into the teachings of Hutchinson in order to have a more efficient system, since Hutchinson teaches many modifications and variations of the invention may be implemented (col. 5, lines 27-31).

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7. Claims 34, 47-48, 50-51, 59-61, 63-64 are rejected under 35 U.S.C. 103(a) as being unpatentable over Hutchinson, IV (U.S. Patent 7,197,124) in view of Florkey et al. (US Patent 6,990,353).

As to claims 34 and 59, Hutchinson does not teach an electronic message to the user after the activating step indicating the success or failure of feature activation.

Florkey et al. teaches an electronic message to the user (col. 4, lines 12-16) upon change in status of other telephone station (col. 3, lines 36-55), hence it would have been obvious to one of ordinary skill in the art to modify the message to indicate the status of feature activation, for example, success or failure.

As to claims 47-48 and 60-61, Florkey et al. teaches the application server sending notification message, performing translation phone number and URL (col. 3, line 36 through col. 4, line 11), hence it would have been obvious to one of ordinary skill in the art that the message has text and domain name portion.

As to claims 50 and 63, Florkey et al. teaches detecting a change of status of the telephone (col. 1, lines 38-41; col. 3, lines 13-17); determining whether or not an external endpoint has requested notification of the status change (col. 4, lines 49-51); and when an external endpoint has requested notification of the status change, generating and sending to the external endpoint a text notification of the status change (col. 3, lines 36-55).

As to claims 51 and 64, Florkey et al. teaches the switch generating and sending a text message to the external endpoint comprising a current feature setting of the telephone (col. 1, line 61 through col. 2, line 7; col. 3, lines 36-55).



8. Claims 67-71 and 75-76 are rejected under 35 U.S.C. 103(a) as being unpatentable over Florkey et al. (US Patent 6,990,353) in view of Hutchinson, IV (U.S. Patent 7,197,124).

Claims 67 and 68 are rejected for the same reasons as discussed above with respect to claims 23-26 and 24, 27, respectively

Claims 69-71 and 75-76 are rejected for the same reasons as discussed above with respect to claims 25, 26, 28, and 29-30, respectively.

#### ***Allowable Subject Matter***

9. Claims 49, 62, and 74 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

As to claims 49, 62, and 74, prior arts of record fails to teach, or render obvious, alone, or in combination a method for accessing switch functionality from an external endpoint, comprising: providing at least one of a switch and server, at least one internal endpoint, and at least one external endpoint, each of the at least one internal and external endpoints being in communication with the at least one of a switch and server and associated with a common user, wherein the at least one internal endpoint comprises a plurality of feature activators for activating a plurality of features; receiving from the at least one external endpoint an incoming contact comprising a packet-switched communication comprising an identity of at least one of a feature

activator and a feature; determining when the identified at least one of a feature activator and feature has a corresponding entry in a stored list of identifiers, the entries in the stored list of identifiers being associated with at least one of (i) a plurality of feature activator identifiers associated with the plurality of feature activators and (ii) a plurality of feature identifiers associated with the plurality of features; and when the identified at least one of a feature activator and feature has a corresponding entry in the stored list, activating at least one of the associated feature activator and feature, wherein the text communication has text and domain name portions, the text portion comprising the identity of the at least one of the selected feature activator and feature and the domain name portion comprising the electronic address of the switch or a component thereof, and wherein the receiving step comprises: the switch determining that the text communication comprises a feature command and is not intended to be forwarded to a subscriber; the switch determining, based on the source address of the text communication, that the sender has authorization to request invocation of a feature activator and/or feature; the switch parsing the text communication and comparing the parsed text against a set of feature commands to identify the at least one of the selected feature activator and feature.

### ***Conclusion***

10. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Greene (2002/0077080) teaches instant message user location tracking system.

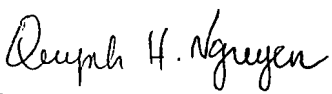
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Kahn et al. (US Patent 4,086,438) teaches automatic interconnection system.

11. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Quynh H. Nguyen whose telephone number is 571-272-7489. The examiner can normally be reached on Monday - Thursday from 6:30 A.M. to 5:00 P.M.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ahmad Matar, can be reached on 571-272-7488. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

  
**Quynh H. Nguyen**  
**Primary Examiner**  
**Art Unit 2614**